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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/9/10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GILEAD SCIENCES, INC.,

Plaintiff,

-v-

TEVA PHARMACEUTICALS USA, INC., *et al.*,

Defendants.

No. 08 Civ. 10838 (RJS)  
ORDER

GILEAD SCIENCES, INC. and EMORY  
UNIVERSITY,

Plaintiffs,

-v-

TEVA PHARMACEUTICALS USA, INC., *et al.*,

Defendants.

No. 09 Civ. 4463 (RJS)  
ORDER

GILEAD SCIENCES, INC.,

Plaintiff,

-v-

TEVA PHARMACEUTICALS USA, INC., *et al.*,

Defendants.

No. 10 Civ. 1796 (RJS)  
ORDER

GILEAD SCIENCES, INC. and EMORY  
UNIVERSITY,

Plaintiffs,

-v-

TEVA PHARMACEUTICALS USA, INC., *et al.*,

Defendants.

No. 10 Civ. 1798 (RJS)  
ORDER

MERCK, SHARP & DOHME CORP. and BRISTOL-MEYERS SQUIBB CO.,

Plaintiffs,

-v-

TEVA PHARMACEUTICALS USA, INC., *et al.*,

Defendants.

No. 10 Civ. 1851 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court held a conference on April 8, 2010 to discuss the consolidation and management of the above-captioned matters. The parties proposed, and the Court agreed, that the three FTC cases — 08 Civ. 10838, 09 Civ. 4463, and 10 Civ. 1798 — should be consolidated into one case, while the two other cases — 10 Civ. 1796 (the TDF case) and 10 Civ. 10851 (the Efavirenz case) — should each proceed separately, resulting in three total cases.

Accordingly, IT IS HEREBY ORDERED THAT, by May 3, 2010, the parties shall submit a proposed Case Management Plan and Scheduling Order for each of the three cases, as well as a joint letter regarding scheduling and discovery. The joint letter should also address the following questions:

- (1) In light of the consolidation of the three FTC cases, is it appropriate to close two of the cases for administrative purposes, such that the suit would proceed under one case number, with one operative complaint?
- (2) If closing two of those cases is appropriate, which two should be closed and why?

SO ORDERED.

Dated: April 8, 2010  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE